

Robbins Geller
Rudman & Dowd LLP

Atlanta
Boca Raton
Chicago

Melville
New York
Philadelphia

San Diego
San Francisco
Washington, DC

Alexandra S. Bernay
XanB@rgrdlaw.com

November 18, 2013

VIA ECF AND HAND DELIVERY

The Honorable John Gleeson
United States District Judge
225 Cadman Plaza East
Room 727 South
Brooklyn, NY 11201

Re: *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*,
No. 1:05-MD-1720-(JG)(JO)

Dear Judge Gleeson:

As Class Counsel reported on Thursday, November 14, 2013, numerous class members have called and emailed the Class Administrator in the past few weeks questioning whether they must sign up with a third-party claims filing company after receiving official-sounding voicemails from men identified as only "Ryan" or "Mark" at merchantclaim.com. *See* Dkt. No. 6088-1, Declaration of Alexandra S. Bernay in Support of November 14, 2013 Letter Brief, filed Nov. 14, 2013, Ex. 1. The Court has since issued an Order to Show Cause regarding this conduct.

At the time of the filing, Class Counsel had not been able to obtain a copy of the voicemail that class members were receiving. Following the filing, however, a class member contacted Class Counsel to ask about the solicitation she received and she still had the voicemail on her company's answering machine. The call was recorded and transcribed with the consent of the merchant. So that the Court has a complete record, today we submit a CD containing the audio recording as well as a transcription of the call attached here as Exhibit A to this letter.

Respectfully submitted,



ALEXANDRA S. BERNAY

ASB:jpk

Attachment

cc: All Counsel via ECF

Neil S. Binder, Binder & Schwartz, LLP, Counsel for SRG

893796_1